

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	19cv1862 (DLC)
JOSE JAVIER FERNANDEZ	:
	:
Plaintiff,	:
	:
-v-	:
	:
AMADEO OKTROVA,	:
Defendant.	:
-----X	:

ORDER

DENISE COTE, District Judge:

On July 24, 2020, this Court granted the defendants' motion for summary judgment in part. Fernandez v. City of New York, No. 19CV1862 (DLC), 2020 WL 4266931, at *1 (S.D.N.Y. July 24, 2020). The only claims that remained for trial are the false arrest and malicious prosecution claims against Amadeo Oktrova. The Joint Pretrial Order is due September 25; the case has been placed on the October 2020 trial ready calendar.


On August 4, the plaintiff requested permission to depose two third-party police officers. On August 10, the defendant filed a letter opposing the request. The deadline for discovery has long since passed. But apart from this being an untimely request, it is also a request that must be denied for the burden it would impose on the parties on the eve of trial and the plaintiff's failure to show that the two officers have evidence of any relevance to the issues that will be tried. Neither of

the two proposed deponents were present at the plaintiff's arrest, and neither of them can provide information that is relevant to the narrow set of claims that remain for trial. Accordingly, it is hereby

ORDERED that the plaintiff's August 4 discovery request is denied.

SO ORDERED:

Dated: New York, New York
August 12, 2020



DENISE COTE
United States District Judge